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NO. 9289 P. 2

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MS ISSUE FEE  
PATENT  
4614-0107P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant(s): STEINAA, Lucilla et al.

Conf.: 5928

Appl. No.: 09/806,703

Group: 1644

Filed: June 30, 2001

Examiner: DIBRINO, M

For: NOVEL METHODS FOR THERAPEUTIC VACCINATION

LETTER REQUESTING INITIALED PTO 1449 FORM(S)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

June 24, 2005

Sir:

In reviewing the above-captioned application file upon allowance, the undersigned has noted that PTO Form 1449, submitted on April 26, 2001, May 23, 2001 and May 11, 2005 were acknowledged by the Patent and Trademark Office. However, the references have not been initialed by the Examiner.

In the Office Action issued on January 2, 2004, the Examiner states that the references were listed on the PTO-1449 form were not submitted by the Applicants. Applicants enclose copies of the postcards submitted with the Information Disclosure Statements which indicates that the references were indeed received by the U.S. Patent Office. In addition, Applicants enclose a copy of the Image File Wrapper print out from the Patent Application Information Retrieval (PAIR) which shows that the documents were received and scanned into the system.

The Information Disclosure Statement submitted on May 11, 2005 was also received by the Patent Office on May 16, 2005, but Applicants have not received communication that the references submitted have been considered. The enclosed PAIR Image File Wrapper print out and print out of the first page of the IDS mentioned indicates

Application No.: 09/806,703

its receipt by the Patent Office. These references were submitted because they were first cited by the EPO less than 3 months prior to the filing of the IDS.

In addition, the Examiner stated that no PTO-1449 form was received for the IDS submitted on May 14, 2004 and that these references were also not submitted. Applicants enclose, however, a copy of the date-stamped postcard submitted with the IDS which clearly indicates that the PTO 1449 was included with the four references. The PTO did not alter the description of contents, indicating that all four references as well as the PTO 1449 form was indeed received. Consequently, the loss of these items was due to PTO error and not Applicant's error. As such, these references should be examined by the Examiner and Applicants respectfully request return of the initialed form prior to the deadline for payment of the issue fee on June 30, 2005.

The Patent and Trademark Office therefore is requested to initial and return the enclosed PTO-1449 forms to the undersigned as soon as possible.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH &amp; BIRCH, LLP

**Certificate of Transmittal**  
I hereby Certify that this correspondence is being  
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Trademark Office:

On June 24, 2005  
[Signature]  
Signature  
SANDRA B. PAULS  
Typed or printed name of person signing certificate

By:

[Signature] #147,604  
for Leonard R. Svensson  
Registration No. 30, 330

P.O. Box 747  
Falls Church, VA 22040-0747  
(714) 708-8555

/sbp  
4614-0107P

Enclosures: As noted



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**Birch, Stewart,  
Kolasch & Birch, LLP**

# Fax

|                   |   |                  |                          |
|-------------------|---|------------------|--------------------------|
| <b>To:</b>        | Examiner Marianne Dibrino                     | <b>From:</b>     | Leonard R. Svensson      |
| <b>Fax:</b>       | (703) 746-4000                                | <b>Pages:</b>    | 26 including cover sheet |
| <b>Phone:</b>     |   | <b>Date:</b>     | June 24, 2005            |
| <b>Your Ref.:</b> | Application No. 09/806,703                    | <b>Our Ref.:</b> | 4614-0107P               |
| <b>Re:</b>        | Letter Requesting Initialed PTO 1449<br>Forms | <b>CC:</b>       |                          |

☐ Urgent    ☐ For Review    ☐ Please Comment    ☐ Please Reply    ☐ Please Recycle

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NO. 9289 P. 4



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MS ISSUE FEE  
PATENT  
4614-0107P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: STEINAA, Lucilla et al. Conf.: 5928  
Appl. No.: 09/806,703 Group: 1644  
Filed: April 30, 2001 Examiner: DIBRINO, M  
For: METHODS FOR THERAPEUTIC VACCINATION

INFORMATION DISCLOSURE STATEMENT  
(SUBMISSION AFTER NOTICE OF ALLOWANCE  
BUT PRIOR TO PAYMENT OF THE ISSUE FEE)

U.S. Patent and Trademark Office  
Customer Service Window - MS ISSUE FEE  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

May 11, 2005

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS, OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-1449, attached hereto.

II. COPIES

- a. ☒ A CD-Rom is attached which contains thereon copies of all references listed on the attached PTO-1449 Form, including U.S. patents.

III. CONCISE EXPLANATION OF THE RELEVANCE  
(check at least one box)

- a. ☒ DOCUMENTS IN THE ENGLISH LANGUAGE

The patents, publications, or other information

05/18/2005 HBLAND 00000003 022448 09806703  
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NO. 9289 P. 5

Sheet 1 of 1 (5/11/05)

| Form PTO-1449   |   |                    |               | ATTY. DOCKET NO.<br>4614-0107P |                 | APPLICATION NO.<br>09/806,703 |                               |             |    |
|---|---|--------------------|---------------|--------------------------------|-----------------|-------------------------------|-------------------------------|-------------|----|
| <b>INFORMATION DISCLOSURE CITATION<br/>IN AN APPLICATION</b><br>(Use several sheets if necessary)   |   |                    |               | APPLICANT<br>STEINAA, Lucilla  |                 | GROUP<br>1644                 |                               |             |    |
|   |   |                    |               | FILING DATE<br>April 30, 2001  |                 |                               |                               |             |    |
| <b>U.S. PATENT DOCUMENTS</b>  |   |                    |               |                                |                 |                               |                               |             |    |
| EXAMINER<br>INITIAL   | DOCUMENT NUMBER   | Kind               | DATE          | NAME                           | CLASS           | SUB<br>CLASS                  | FILING DATE<br>IF APPROPRIATE |             |    |
|   | US 5,736,142  |                    | April 7, 1998 | Sette et al.                   |                 |                               |                               |             |    |
|   | US  |                    |               |                                |                 |                               |                               |             |    |
|   | US  |                    |               |                                |                 |                               |                               |             |    |
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|   | US  |                    |               |                                |                 |                               |                               |             |    |
|   | US  |                    |               |                                |                 |                               |                               |             |    |
|   | US  |                    |               |                                |                 |                               |                               |             |    |
|   | US  |                    |               |                                |                 |                               |                               |             |    |
|   | US  |                    |               |                                |                 |                               |                               |             |    |
|   | US  |                    |               |                                |                 |                               |                               |             |    |
| <b>FOREIGN PATENT DOCUMENTS</b>   |   |                    |               |                                |                 |                               |                               |             |    |
|   | Office  | DOCUMENT<br>NUMBER | Kind          | DATE                           | COUNTRY         | CLASS                         | SUB<br>CLASS                  | TRANSLATION |    |
|   |   |                    |               |                                |                 |                               |                               | YES         | NO |
|   | WO  | 99/40188           | A2            | 1999-08-12                     | PCT             |                               |                               |             |    |
|   | WO  | 99/10375           | A2            | 1999-03-04                     | PCT             |                               |                               |             |    |
|   | WO  | 98/56919           | A2            | 1998-12-17                     | PCT             |                               |                               |             |    |
|   |   |                    |               |                                |                 |                               |                               |             |    |
|   |   |                    |               |                                |                 |                               |                               |             |    |
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|   |   |                    |               |                                |                 |                               |                               |             |    |
|   |   |                    |               |                                |                 |                               |                               |             |    |
| <b>OTHER DOCUMENTS</b> (Include Name of the Author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.) |   |                    |               |                                |                 |                               |                               |             |    |
|   | WIDMANN, C. et al., "T helper epitopes enhance the cytotoxic...", Journal of Immunological Methods, 155 (1992). pp. 95-99.            |                    |               |                                |                 |                               |                               |             |    |
|   | ALEXANDER, J. et al., "The optimization of helper t lymphocyte...", Immunologic Research 1998:18/2. pp. 79-92.                        |                    |               |                                |                 |                               |                               |             |    |
|   | STOUTE, J. et al., "A preliminary evaluation of a recombinant...", The New England Journal of Medicine, 1997, Vol. 336 (2).pp. 86-91. |                    |               |                                |                 |                               |                               |             |    |
|   | HANKE, T et al., "DNA multi-CTL epitope vaccine...", Vaccine, 1998, Vol. 16, No. 4, pp. 426-435.                                      |                    |               |                                |                 |                               |                               |             |    |
|   | GILBERT, S. et al., A protein particle vaccine containing multiple..., Nature Biotechnology, Nov. 1997, Vol. 15, pp. 1280.            |                    |               |                                |                 |                               |                               |             |    |
| EXAMINER  |   |                    |               |                                | DATE CONSIDERED |                               |                               |             |    |
| EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.   |   |                    |               |                                |                 |                               |                               |             |    |

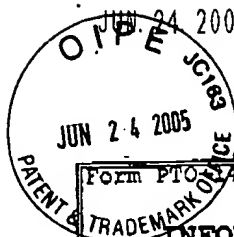
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Sheet 1 of 11 (4/26/01)

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LRS/clb



Sheet 3 of 11 (4/26/01)

[illegible]

LRS/clh

Sheet 4 of 11 (4/26/01)

[illegible]

LRS/clh

Sheet 5 of 11 (4/26/01)

[illegible]

LAS/clh

Sheet 6 of 11 (4/26/01)

[illegible]

LRS/clh

Sheet 7 of 11 (4/26/01)

[illegible]

LAS/clb

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LRs/clh

Sheet 9 of 11 (4/26/01)

[illegible]

LRS/clh

[illegible]

LRS/clh



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Sheet 11 of 11 (4/26/01)

APPLICATION NO.  
09/806,703

APPLICANT  
STEINNA, Lucilla et al.

FILING DATE  
April 4, 2001

|       |            |
|-------|------------|
| GROUP | unassigned |
|-------|------------|

[illegible][illegible]

|  |  |   |
|--|--|---|
|  |  | SINIGAGLIA, F. et al.; "A malaria T-cell." Nature Vol. 336, 22/29 December 1998               |
|  |  | JACOBY, David R. et al.; "Immunologic.." Advances in Immunology, Vol. 35, pp. 157-208         |
|  |  | HOPP, Thomas P. et al.; "A Computer.." Molecular Immunology Vol. 20, No. 4 pp. 483-489 (1983) |
|  |  |   |
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DATE CONSIDERED

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PAGE 17/26 \* RCVD AT 6/24/2005 9:00:36 PM (Eastern Daylight Time) \* SVR:USPTO-EFXRF-2/1 \* DNIS:7464000 \* CSID: \* DURATION (mm:ss):07-00



Papers Filed herewith on: May 14, 2004  
 DOCKET NO.: 4164-0107P ATTY: US/653  
 APPLICANT(S): STEINBA, Lucille  
 APPL. NO.: 09/180,703 FILED: Apr 130, 2001  
 PAT NO.: \_\_\_\_\_

☐ New Application with Transmittal Letter  
☐ Utility ☐ Design ☐ CIP ☐ PCT ☐ Provisional  
☐ Filing Under 37 CFR 1.53(b) ☐ CONT ☐ DIV  
☐ Filing Under 37 CFR 1.53(d) (CPA)  
☐ Filing Under 37 CFR 1.114(PCE)  
☐ Specification Consisting of: \_\_\_\_\_  
☐ Combined Declaration & Power of Attorney  
☐ Assignment / Cover Letter  
☐ Letter to Official Draftsman  
☐ Drawings \_\_\_\_\_ Sheets ☐ Formal ☐ Informal ☐ Red-ink  
☐ Completion of Filing Requirements, PCT/DO/EC/905  
 or Formalities Letter and Executed Declaration  
☐ Priority Document(s) / Cover Letter, No. Doc. \_\_\_\_\_  
☐ Amendment: \_\_\_\_\_  
☐ Transmittal Ltr ☐ Large Entity ☐ Small Entity  
☐ Response \_\_\_\_\_ doc(s)  
☒ Information Disc Stmt, PTO-1449(s) ☐ Appeal Brief  
☐ Notice of Appeal ☐ Sequence Listing  
☐ Issue Fee Transmittal  
☐ FEES: \_\_\_\_\_  
☐ Letter: \_\_\_\_\_  
☐ Other: \_\_\_\_\_

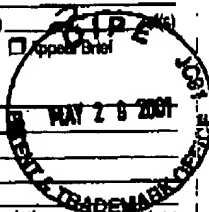
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Papers Filed herewith on: 5-24-01  
DOCKET NO.: 3631-109P ATTY: LRB/SWB  
APPLICANT(S): Steinag, Lucilla et al  
APPL. NO. 07/826, 203 FILED: 4-4-01  
PAT NO.:

- ☐ New Application with Transmittal Letter  
☐ Utility ☐ Design ☐ CIP ☐ PCT ☐ Provisional  
☐ Filing Under 37 CFR 1.53(b) ☐ CONT ☐ DIV  
☐ Filing Under 37 CFR 1.53(d) (CPA)  
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☐ Specification Consisting of: \_\_\_\_\_ pages  
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☐ Completion of Filing Requirements, PCT/DO/EO/905  
or Formalize Letter and Executed Declaration  
☐ Priority Document(s) / Cover Letter, No. Doc. \_\_\_\_\_  
☐ Amendment:  
☐ Transmittal ☐ Large Entity ☐ Small Entity  
☐ Response  
☒ Information Disc. Stmt. PTO-1449(s) ☐ Appeal Brief  
☐ Notice of Appeal ☐ Appeal Brief  
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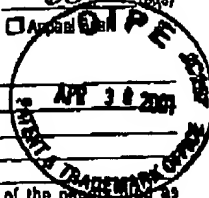
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DOCKET NO.: 3631-1099 ATTY: LPs  
 APPLICANT(S): Stemco, Lucilla et al  
 APPL. NO: 09/806,705 FILED: 9-8-01  
 PAT NO.:

- ☐ New Application with Transmittal Letter  
☐ Utility ☐ Design ☐ CIP ☐ PCT ☐ Provisional  
☐ Filing Under 37 CFR 1.53(b) ☐ CONT ☐ DIV  
☐ Filing Under 37 CFR 1.53(d) (CPA)  
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☐ Specification Consisting of: \_\_\_\_\_ pages  
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☐ Completion of Filing Requirements, PCT/DO/EO/906  
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☐ Priority Document(s) / Cover Letter, No. Doc. \_\_\_\_\_  
☐ Amendment:  
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☐ Response  
☒ Information Dtd Stmt. PTO-1449(s) 65 m(s)  
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## Image File Wrapper for Application No.:09/806,703

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| Mail Room Date | Document Description   | Document Category | Page Count | All |
|----------------|--|-------------------|------------|-----|
| 06/03/2005     | Miscellaneous Internal Document  | PROSECUTION       | 1          |     |
| 05/18/2005     | Information Disclosure Statement (IDS): Filed  | PROSECUTION       | 5          |     |
| 05/16/2005     | Artifact sheet indicating an item has been filed which cannot be scanned   | PROSECUTION       | 1          |     |
| 04/27/2005     | Information Disclosure Statement (IDS): Filed  | PROSECUTION       | 3          |     |
| 04/11/2005     | Miscellaneous Incoming Letter  | PROSECUTION       | 3          |     |
| 03/31/2005     | Notice of Allowance and Fees Due (PTOL-85)   | PROSECUTION       | 3          |     |
| 03/31/2005     | List of references cited by examiner   | PROSECUTION       | 1          |     |
| 03/31/2005     | Notice of Allowance and Fees Due (PTOL-85)   | PROSECUTION       | 5          |     |
| 03/31/2005     | Examiner Interview Summary Record (PTOL - 413)   | PROSECUTION       | 2          |     |
| 03/31/2005     | Amendment After Final or under 37CFR 1.312, initialed by the examiner.   | PROSECUTION       | 1          |     |
| 03/31/2005     | Issue Information including classification, examiner, name, claim, renumbering, etc.   | PROSECUTION       | 1          |     |
| 03/31/2005     | Search Information including classification, databases and other search related notes  | PROSECUTION       | 1          |     |
| 03/15/2005     | Authorization from Applicant to treat all replies as Incorporating Extension of Time, and charge all fees to a deposit account | PROSECUTION       | 3          |     |
| 03/15/2005     | Notice of Appeal Filed   | PROSECUTION       | 3          |     |
| 03/15/2005     | Fee Worksheet (PTO-875)  | PROSECUTION       | 1          |     |
| 03/14/2005     | Power of Attorney (may include Associate POA)  | PROSECUTION       | 1          |     |
| 03/14/2005     | Transmittal to TC  | PROSECUTION       | 1          |     |
| 01/28/2005     | NPL Documents  | PRIOR ART         | 12         |     |
| 01/26/2005     | Examiner's search strategy and results   | PROSECUTION       | 346        |     |
| 01/18/2005     | Examiner's search strategy and results   | PROSECUTION       | 1          |     |
| 01/14/2005     | Amendment After Final  | PROSECUTION       | 4          |     |
| 01/14/2005     | Fee Worksheet (PTO-875)  | PROSECUTION       | 1          |     |
| 01/14/2005     | Claims Worksheet (PTO-2022)  | PROSECUTION       | 1          |     |
| 01/14/2005     | Fee Worksheet (PTO-875)  | PROSECUTION       | 1          |     |



|            |   |             |     |
|------------|---|-------------|-----|
| 01/14/2005 | Applicant Arguments or Remarks Made in an Amendment                                   | PROSECUTION | 3   |
| 01/14/2005 | Claims  | PROSECUTION | 16  |
| 01/14/2005 | Specification   | PROSECUTION | 2   |
| 09/15/2004 | Search information including classification, databases and other search related notes | PROSECUTION | 1   |
| 09/15/2004 | Index of Claims   | PROSECUTION | 1   |
| 09/15/2004 | List of References cited by applicant and considered by examiner                      | PRIOR ART   | 1   |
| 09/15/2004 | Final Rejection   | PROSECUTION | 15  |
| 09/03/2004 | Examiner's search strategy and results  | PROSECUTION | 1   |
| 08/09/2004 | Miscellaneous Action with SSP   | PROSECUTION | 2   |
| 05/18/2004 | NPL Documents   | PRIOR ART   | 2   |
| 05/18/2004 | NPL Documents   | PRIOR ART   | 2   |
| 05/18/2004 | Foreign Reference   | PRIOR ART   | 103 |
| 05/18/2004 | Information Disclosure Statement (IDS) Filed  | PROSECUTION | 5   |
| 05/14/2004 | Specification   | PROSECUTION | 2   |
| 05/14/2004 | Supplemental Response or Supplemental Amendment                                       | PROSECUTION | 3   |
| 05/14/2004 | Applicant Arguments or Remarks Made in an Amendment                                   | PROSECUTION | 9   |
| 05/14/2004 | Claims  | PROSECUTION | 16  |
| 05/11/2004 | Extension of Time   | PROSECUTION | 2   |
| 05/03/2004 | Specification   | PROSECUTION | 2   |
| 05/03/2004 | Applicant Arguments or Remarks Made in an Amendment                                   | PROSECUTION | 8   |
| 05/03/2004 | Claims  | PROSECUTION | 16  |
| 05/03/2004 | Amendment - After Non-Final Rejection   | PROSECUTION | 4   |
| 01/20/2004 | NPL Documents   | PRIOR ART   | 8   |
| 01/20/2004 | NPL Documents   | PRIOR ART   | 7   |
| 01/20/2004 | Foreign Reference   | PRIOR ART   | 33  |
| 01/20/2004 | Information Disclosure Statement (IDS) Filed  | PROSECUTION | 6   |
| 01/02/2004 | Index of Claims   | PRIOR ART   | 1   |
| 01/02/2004 | Foreign Reference   | PRIOR ART   | 102 |
| 01/02/2004 | Foreign Reference   | PRIOR ART   | 70  |
| 01/02/2004 | Non-Final Rejection   | PROSECUTION | 11  |
| 01/02/2004 | Foreign Reference   | PRIOR ART   | 19  |
| 01/02/2004 | NPL Documents   | PRIOR ART   | 10  |
| 01/02/2004 | NPL Documents   | PRIOR ART   | 12  |
| 01/02/2004 | Foreign Reference   | PRIOR ART   | 115 |
| 01/02/2004 | Foreign Reference   | PRIOR ART   | 23  |



|            |   |             |     |
|------------|---|-------------|-----|
| 01/02/2004 | List of references cited by examiner  | PRIOR ART   | 2   |
| 01/02/2004 | List of References cited by applicant and considered by examiner                      | PRIOR ART   | 12  |
| 01/02/2004 | Search information including classification, databases and other search related notes | PRIOR ART   | 1   |
| 12/22/2003 | Examiner's search strategy and results  | PROSECUTION | 1   |
| 12/19/2003 | Examiner's search strategy and results  | PROSECUTION | 3   |
| 09/08/2003 | Miscellaneous Incoming Letter   | PROSECUTION | 12  |
| 09/08/2003 | Amendment - After Non-Final Rejection   | PROSECUTION | 1   |
| 09/08/2003 | Specification   | PROSECUTION | 6   |
| 09/08/2003 | Applicant Arguments or Remarks Made in an Amendment                                   | PROSECUTION | 9   |
| 09/08/2003 | Sequence Listing  | PROSECUTION | 35  |
| 08/11/2003 | Miscellaneous Action with SSP   | PROSECUTION | 3   |
| 07/22/2003 | Examiner's search strategy and results  | PROSECUTION | 273 |
| 07/22/2003 | Examiner's search strategy and results  | PROSECUTION | 250 |
| 07/22/2003 | Examiner's search strategy and results  | PROSECUTION | 300 |
| 07/22/2003 | Examiner's search strategy and results  | PROSECUTION | 297 |
| 07/22/2003 | Examiner's search strategy and results  | PROSECUTION | 446 |
| 07/22/2003 | Examiner's search strategy and results  | PROSECUTION | 88  |
| 07/22/2003 | Examiner's search strategy and results  | PROSECUTION | 300 |
| 04/30/2003 | Applicant Arguments or Remarks Made in an Amendment                                   | PROSECUTION | 7   |
| 04/30/2003 | Amendment - After Non-Final Rejection   | PROSECUTION | 3   |
| 04/30/2003 | Claims  | PROSECUTION | 2   |
| 03/25/2003 | Requirement for Restriction/Election  | PROSECUTION | 5   |
| 04/29/2002 | Notice of DO/EO Acceptance Mailed   | PROSECUTION | 2   |
| 11/16/2001 | CRF Sequence Listing Filed  | PROSECUTION | 6   |
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| 11/13/2001 | Drawings  | PROSECUTION | 6   |
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| 10/11/2001 | Notice of DO/EO Missing Requirements Mailed   | PROSECUTION | 2   |
| 08/30/2001 | CRF Sequence Listing Filed  | PROSECUTION | 8   |
| 06/25/2001 | CRF Sequence Listing Filed  | PROSECUTION | 2   |
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| 05/29/2001 | NPL Documents                                | PRIOR ART   | 4   |
| 05/29/2001 | Miscellaneous Incoming Letter                | PROSECUTION | 2   |
| 05/29/2001 | Information Disclosure Statement (IDS) Filed | PROSECUTION | 6   |
| 05/29/2001 | Foreign Reference                            | PRIOR ART   | 68  |
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| 04/26/2001 | Notice of DO/EO Missing Requirements Mailed   | PROSECUTION | 2   |
| 04/04/2001 | Fee Worksheet (PTO-875)   | PROSECUTION | 1   |
| 04/04/2001 | Issue Information including classification, examiner, name, claim, renumbering, etc.        | PROSECUTION | 1   |
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| 04/04/2001 | Foreign Reference   | PRIOR ART   | 34  |
| 04/04/2001 | Applicant Arguments or Remarks Made in an Amendment   | PROSECUTION | 16  |
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